

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re United States Patent Application of:)
Applicant: Ritter, et al.)
Application No.: 09/747,850) Examiner: Unknown
Date Filed: 12/21/00) Group Art Unit:
Title: ENCAPSULATED MULTIFUNCTIONAL)
BIOLOGICALLY ACTIVE FOOD)
COMPONENT PROCESS FOR ITS)
PRODUCTION AND ITS USE)

)

FIRST CLASS MAILING CERTIFICATE

I hereby certify that this paper is being deposited this date with the U.S. Postal Service as First Class Mail addressed to the Assistant Commissioner for Patents, Washington, DC 20231, under provisions of 36 CFR 1.8

Kandy M. Maryland
3/16/01

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION
FILING DATE GRANTED

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

In reply to the "Notice to File Missing Parts of Application Filing Date Granted", dated December 21, 2000, enclosed are:

1. a copy of "Notice to File Missing Parts of Nonprovisional Application";
2. a fully executed Declaration and Power of Attorney;
3. a completely executed Assignment of the invention and application to Nutrinova Nutrition Specialties & Food Ingredients GmbH and Recordation

Respectfully submitted,



Klaus Schweitzer

ProPat LLC
6230 Fairview Road, Suite 400
Charlotte, NC 28210
(704) 365-4881



37 CFR 1.1

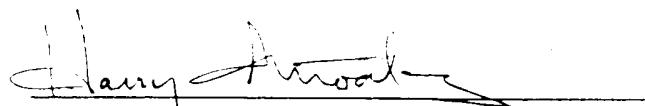
BEFORE THE OFFICE OF ENROLLMENT AND DISCIPLINE
UNITED STATES PATENT AND TRADEMARK OFFICE

LIMITED RECOGNITION UNDER 37 CFR § 10.9(b)

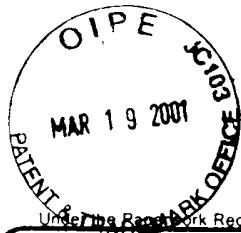
Klaus Schweitzer is hereby given limited recognition under 37 CFR § 10.9(b) as an employee of ProPat, L.L.C. to prepare and prosecute U.S. patent applications wherein the applicant is the client of ProPat, L.L.C., and the attorney of record in the applications is Mr. Gregory Clements (Reg. No. 30713). This limited recognition shall expire on the date appearing below, or when whichever of the following events first occurs prior to the date appearing below: (i) Klaus Schweitzer ceases to lawfully reside in the United States, (ii) Klaus Schweitzer's employment with ProPat, L.L.C. ceases or is terminated, or (iii) Klaus Schweitzer ceases to remain or reside in the United States on an E2 visa.

This document constitutes proof of such recognition. The original of this document is on file in the Office of Enrollment and Discipline of the U.S. Patent and Trademark Office.

Expires: November 30, 2001



Harry I. Moatz
Director of Enrollment and Discipline



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PTO/SB/17 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$)

Complete if Known

| | |
|----------------------|-----------------|
| Application Number | 10/1234567 |
| Filing Date | 12/31/00 |
| First Named Inventor | John Doe |
| Examiner Name | Patent Examiner |
| Group Art Unit | 1234 |
| Attorney Docket No. | PTO-12345 |

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

| | |
|------------------------|----------------------|
| Deposit Account Number | 12345678901234567890 |
| Deposit Account Name | John Doe |

- Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17
 Applicant claims small entity status.
See 37 CFR 1.27

2. Payment Enclosed:

- Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

| Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid |
|---------------|---------------|-------------------------------|----------|
| 101 | 710 | 201 355 Utility filing fee | |
| 106 | 320 | 206 160 Design filing fee | |
| 107 | 490 | 207 245 Plant filing fee | |
| 108 | 710 | 208 355 Reissue filing fee | |
| 114 | 150 | 214 75 Provisional filing fee | |

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| Independent Claims | -20** = | X = | |
| Multiple Dependent | -3** = | X = | |
| | | | = |

Large Entity Small Entity

| Fee Code (\$) | Fee Code (\$) | Fee Description |
|---------------|---------------|--|
| 103 | 18 | 203 9 Claims in excess of 20 |
| 102 | 80 | 202 40 Independent claims in excess of 3 |
| 104 | 270 | 204 135 Multiple dependent claim, if not paid |
| 109 | 80 | 209 40 ** Reissue independent claims over original patent |
| 110 | 18 | 210 9 ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$)

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|-------------------------------|-------------------------------|---|----------|
| 105 | 130 | 205 65 Surcharge - late filing fee or oath | |
| 127 | 50 | 227 25 Surcharge - late provisional filing fee or cover sheet | |
| 139 | 130 | 139 130 Non-English specification | |
| 147 | 2,520 | 147 2,520 For filing a request for ex parte reexamination | |
| 112 | 920* | 112 920* Requesting publication of SIR prior to Examiner action | |
| 113 | 1,840* | 113 1,840* Requesting publication of SIR after Examiner action | |
| 115 | 110 | 215 55 Extension for reply within first month | |
| 116 | 390 | 216 195 Extension for reply within second month | |
| 117 | 890 | 217 445 Extension for reply within third month | |
| 118 | 1,390 | 218 695 Extension for reply within fourth month | |
| 128 | 1,890 | 228 945 Extension for reply within fifth month | |
| 119 | 310 | 219 155 Notice of Appeal | |
| 120 | 310 | 220 155 Filing a brief in support of an appeal | |
| 121 | 270 | 221 135 Request for oral hearing | |
| 138 | 1,510 | 138 1,510 Petition to institute a public use proceeding | |
| 140 | 110 | 240 55 Petition to revive - unavoidable | |
| 141 | 1,240 | 241 620 Petition to revive - unintentional | |
| 142 | 1,240 | 242 620 Utility issue fee (or reissue) | |
| 143 | 440 | 243 220 Design issue fee | |
| 144 | 600 | 244 300 Plant issue fee | |
| 122 | 130 | 122 130 Petitions to the Commissioner | |
| 123 | 50 | 123 50 Processing fee under 37 CFR 1.17(q) | |
| 126 | 180 | 126 180 Submission of Information Disclosure Stmt | |
| 581 | 40 | 581 40 Recording each patent assignment per property (times number of properties) | |
| 146 | 710 | 246 355 Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 | 710 | 249 355 For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 179 | 710 | 279 355 Request for Continued Examination (RCE) | |
| 169 | 900 | 169 900 Request for expedited examination of a design application | |

Other fee (specify)

SUBMITTED BY

Complete if applicable

| | | | | | |
|-------------------|-------------------|-------------------------------------|--|-----------|---------------|
| Name (Print/Type) | | Registration No (Attorney/Agent) | | Telephone | |
| Signature | <i>C. Schuman</i> | | | Date | <i>1/1/01</i> |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO Assistant Commissioner for Patents, Washington, DC 20231.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20591
www.uspto.gov

| APPLICATION NUMBER | ELING RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|--------------------|-----------------------|------------------------|
| 09/747,850 | 12/21/2000 | Martin Jager | 99/044NUT |

CONFIRMATION NO. 4425
FORMALITIES LETTER

ProPat LLC
Suite 400
6230 Fairview Rd.
Charlotte, NC 28210



OC000000005747615

Date Mailed: 02/08/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

- The balance due by applicant is \$ 130.

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE